

REMARKS

In the outstanding official action, independent claims 1 and 3 were rejected under 35 USC 102(e) as being anticipated by Shen, with dependent claims 2 and 4 being rejected under 35 USC 103(a) as being unpatentable over Shen in view of Hayashi et al, all for the reasons of record. In response, all of the currently-pending claims are herewith amended in order to more particularly and precisely recite the instant invention which is submitted to be both novel and unobvious over the cited and applied references, and it is respectfully submitted that the currently-pending claims, as herewith amended, are now clearly patentably distinguishable over the cited and applied art for the reasons detailed below.

More particularly, the claims have been amended to more specifically recite that the tray of the disk drive is moved between a first end stop position and a second end stop position, that detection means are provided for detecting a back-electromotive signal produced during rotation of the motor for deriving position information of the tray with respect to the first and second end stop position, and means for stopping the tray at one of the first and second end stop positions as a function of the position information, with analogous limitations in the method claims.


With respect to independent claims 1 and 3, it is respectfully submitted that Shen neither shows nor suggests this subject matter as now more precisely recited. On the contrary, Shen relates to a method and apparatus for controlling a disk tray wherein the step cited in the Action (23) involves the detection of a signal for moving the disk tray outputted from a detection circuit after a back emf is sensed. As specifically disclosed in Shen, a "traypush" signal is generated to indicate a displacement of the disk tray by an external force and the movement of the disk tray as a result of this external force is detected when the back emf is sent.

It is respectfully submitted that the foregoing teachings are completely different from the instant invention, wherein position information is derived by detecting a back-electromotive signal, and the tray is stopped at one of the first and second end stop positions as a function of the position information derived from the detection of the back-electromotive signal.

In view of the foregoing, it is respectfully submitted that the currently-pending claims, as herein amended, now clearly patentably distinguish over the cited and applied references.

Accordingly, allowance of the instant application is respectfully submitted to be justified at the present time, and favorable consideration is earnestly solicited.

Respectfully submitted,

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